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/Timothy K. Ball, USPTO Reg. No. 42,287 /

April 05, 2009

Timothy K. Ball

Date

In re application of: Bogdanova et al.

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) Examiner: Anne R. Kubelik

Serial No.: 10/525,318

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) Group Art Unit: 1638

Filed: February 23, 2005

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371 Acceptance: October 7, 2005

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) Conf. No. 5329

For: Nucleotide Sequence Encoding Cry1Bb

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Proteins for Enhanced Expression in Plants)

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

RESPONSE TO OFFICIAL ACTION MAILED JANUARY 8, 2008

This paper is filed in response to the Official Action mailed by the USPTO on October 22, 2008 which provided a three months statutory period of time for reply with no additional fee. With this response, a petition for extension of time for three months is also submitted with authorization for the Office to deduct the appropriate fee from the assignee Monsanto's USPTO Deposit Account 13-4125 and to credit any overpayment thereto. It is respectfully requested that the amendments to the claim and remarks below be entered and considered in view of the Examiner's rejections.